

Landowner must pay \$610,000 for environmental violations

By Onell R. Soto

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A judge yesterday ruled that a businessman should have gotten permits and done a better job of protecting the environment when grading his Lakeside land and putting in a small mobile-home park, a mistake that cost him \$610,000.

The San Diego Superior Court judge ordered Richard Mark Anderson to pay \$490,000 for violations of county storm-water and grading ordinances. That penalty follows \$120,000 a jury awarded the county in April for the damage Anderson caused when he graded 2 acres of coastal sage scrub in Cactus Park.

Anderson didn't know that the property belonged to someone else, the jury found.

Anderson was preparing to either subdivide his property on Ashwood Street near El Capitan High School or put a nursery there, said Ellen Pilsecker, a lawyer in the County Counsel's Office.

But before taking a bulldozer to the land inside the county's biologically sensitive area, Anderson should have paid for an environmental study and gotten a permit, she said.

Anderson continued to push dirt around his 14-acre property even when told doing so was illegal, Pilsecker said.

"We've been trying to get him to comply," she said. "The lawsuit really was the last resort."

Pilsecker said the grading destroyed protected habitat and allowed dirt and silt to flood a nearby street and neighbors' yards. Last Thanksgiving, mud got into a neighbor's home during a rainstorm, she added.

Judge Janice Sammartino also ordered Anderson to remove four illegal mobile homes from his property.

The \$610,000 penalty includes \$120,000 in rent Anderson collected on the mobile homes and on an unauthorized lot where he kept trucks and construction equipment, according to court records.

Anderson's lawyer was unavailable for comment yesterday. But during a trial this past spring, Anderson said he thought the grading was allowed under an agricultural exemption.

Jurors found that he wasn't doing any farming and ruled for the county.

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